

# City of Annapolis

Department of Planning & Zoning  
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## Historic Preservation Commission VIRTUAL PUBLIC HEARING February 9, 2021

The Historic Preservation Commission (HPC) of the City of Annapolis held its regularly scheduled public hearing as a virtual meeting on February 9, 2021. **Chair** Leahy called the meeting to order at 7:02pm.

**Commissioners Present:** **Chair** Leahy, **Vice Chair** Collins, Dr. Scott, Finch, Williams

**Staff Present:** R. Laynor- Chief, Historic Preservation, J. Tower, Assistant Chief, Historic Preservation, Joel Braithwaite-Assistant City Attorney, Jacquelyn Rouse, Jacqueline Guild

**Others Present:** Sheryl Wood-Counsel to the Board

**Chair** Leahy introduced the commissioners and staff. He stated the Commission's purpose pursuant to the authority of the land use articles and administered the oath en masse to all persons intending to testify at the hearing.

### C. ANNOUNCEMENTS

Ms. Laynor announced that the HPC will hold a joint meeting with the Planning Commission (PC) to hear a presentation by Annapolis Mobility and Resilience Partners (AMRP) who are the developers for the City Dock and Hillman Garage projects.

Dr. Scott announced that the Mitchell Gallery at St. John's College is hosting a panel discussion on the work of Aubrey Bodine. This would be of interest to the HPC because the photographs are of Anne Arundel County locations and some located within the historic district.

### D. APPROVAL OF MINUTES

#### 1. December 8, 2020 Meeting Minutes

**Vice Chair** Collins moved approval of the December 8, 2021 meeting minutes as written. Dr. Scott seconded the motion. The motion passed unanimously in a vote of 4-0. (Finch abstained from the vote.)

#### 2. January 12, 2021 Meeting Minutes

**Vice Chair** Collins moved approval of the January 12, 2021 meeting minutes as revised. Dr. Scott seconded the motion. The motion passed unanimously in a vote of 4-0. (Williams abstained from the vote.)

### E. VIOLATIONS

Ms. Laynor reported that the Department closed two violations at 214 King George and 254 King George in January as a result of the work of Mr. Tower so kudos to him on a job well done.

### F. CONSENT DOCKET

There were no applications for the consent docket.

**G. NEW BUSINESS**

**1. 79 Franklin Street** – David M. Miles/The Drawing Board, Inc. – Install a platform lift to meet ADA requirements for accessibility (HPC2020-248)

**Chair** Leahy commented that the HPC will be dealing with complicated issues and are required to follow City laws and codes to provide a consistent process. There are some technicalities on three of the applications on tonight's agenda that need to be addressed so the HPC will not reach an approval on them at the hearing tonight.

Mr. Dales, Attorney, explained that the applicant is applying for a variance with the Board of Appeals and staff has been supportive as indicated in the staff report. **Chair** Leahy briefly addressed some of the issues in the application and how the HPC must proceed.

Mr. Dales expressed concern that the applicant was not made aware of these concerns prior to the meeting. He summarized that the applicant is seeking to place a law office on a site that is below the square footage threshold of which a special exception would not be required. The variance is required for the front and side yard setbacks, and also parking setback with an exception for the ADA lift which requires a variance in order to be located in the side yard. The other variances are for all other future uses of this building. There are no other exterior changes except for the ADA lift. The applicant is trying to minimize impacts while cooperating with the direction of staff to allow for an adaptive reuse of this building that is permitted by special exception.

Mr. Miles clarified that there was a pre application discussion in December and comments were given that were taken into account. He described the constraint that relates to the ADA lift that requires a site arrival point and access to the building from that site arrival point. He noted that the existing construction on the site is such that it makes it too small for the site arrival point. The only accessible route would be an entrance near the front. He then described how the ADA lift will be installed and the proposed location as well as the other proposed changes. He noted that there were questions about how the mass of the lift will be screened and the applicant is proposing plantings for the screening but is not opposed to the lattice as proposed by the consulting architect.

**Chair** Leahy explained that this is an incomplete application and HPC is prevented from approving applications that do not have all zoning requirements. He will recommend that the HPC continue the application until the Board of Appeals approves its application. Mr. Dales responded that if the HPC would have discussed its concerns previously then the applicant could have addressed them prior to this meeting.

**Staff:** Ms. Laynor restated her written report and recommended conditions as noted in the staff memorandum dated February 2, 2021. She did not add a condition regarding the screening of the mass of the lift and required that if there were any significant changes as a result of the variance then the application will need to be heard through public hearing instead of through administrative review. She briefly described how a handicapped person would use the lift to access the building.

**Public:** There was no one from the public that submitted comments in favor or opposition so **Chair** Leahy declared the public testimony closed at 7:39pm.

**Commissioners:** The HPC briefly discussed the application and agreed to continue the application to the HPC's administrative meeting scheduled for February 25, 2021 or the March 9, 2021 public hearing.

The following Commissioners made a site visit on this application.

Name
Leahy, Collins, Williams, Scott

**Chair** Leahy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
C.1	HPC Public Hearing Application for Certificate Approval dated 12/29/20 with attachments
C.2	HPC Certificate of Approval Revision Submittal Form dated 01/22/21 with attachments
C.3	Staff Report and Recommendation dated 02/02/21
C.4	Photograph undated

**2. 61 Franklin Street** – Maria Groben/Purple Cherry Architects – Construction of a new covered porch addition, renovations to the existing dwelling, regrading and reconfiguration of pool in rear yard (HPC2020-251)

**Chair** Leahy noted that this application also has some technicalities relating to the zoning that need to be addressed before the HPC can approve the application but will allow the applicant to present its application at which time the HPC will discuss the completeness of the application. Dr. Scott expressed concern that a major application has so many unanswered questions and unresolved issues especially relating to the site boundary survey. Ms. Purple Cherry responded that they received the list of staff comments with notice that there need to be a turnaround response within 24-48 hours. She responded that 48 hours is not sufficient to address the comments and that the building permit comments do not relate to the HPC. She noted that staff requested that those comments should not be submitted. She also noted that there is a signed and sealed field survey that the Engineer was working on and believes it was provided to Ms. Rouse. Ms. Rouse responded that she has not received a signed and sealed field survey. Ms. Purple Cherry said that it was delivered on January 29, 2021. Ms. Rouse again stated that she had not received the survey.

Ms. Purple Cherry asked for clarification on the roof subordination and **Chair** Leahy said this will be addressed during deliberation. She asked for further clarification on the subordination of the chimney mass. She acknowledged the chimney as masonry, electric lights as opposed to gas, and the third floor egress window sash encasement are simulated double hung. She noted that additional time is needed to provide the HVAC location. She acknowledged the landscaping comments and height of the pergola was provided. She asked for clarification on the chimney comments from the consulting architect. She discussed the second floor differentiation, She noted that the existing basement foundation and proposed crawl space drawings as well as stormwater plan will be submitted as part of the building permit documents. **Chair** Leahy stated that the HPC cannot approve this application until the zoning application has been approved.

**Staff:** Ms. Laynor noted that she disagrees with the Architect's comments and explained the importance of following her request for the application to be as complete as possible so it could be brought to approval. She further noted that there were times when a quick turnaround was needed because initial responses did not answer questions. She also warned the applicants of the danger of not responding to reviewer comments. She discussed the request to subordinate the roof on the addition noting that she did request specified metal as a different type of metal. The chimney was changed but still is massive. There were questions on the masonry and the bonding of the chimney. She addressed the applicant's comments on the lights, windows and noted that details for the landscaping have to be provided. The consulting architect suggested making the new chimneys subordinate in scale. She briefly discussed the consulting architect recommendation for a unified differentiation on the siding for more compatibility to the SOI standards. She briefly discussed subordination of the addition to massing, height, scale and detail. She noted that at the time of this meeting, e-Trakit did not indicate receipt of a boundary survey so the zoning application has not been approved. Mr. Tower noted that the materials that are significant for the structure are being moved to new locations presenting a false sense of history specifically the leaded glass windows will be a prominent feature. He discussed the dormers and how they were affected by the two story addition but overall believe this is a worthwhile project.

**Public:** There was no one from the public that submitted comments in favor or opposition so **Chair** Leahy declared the public testimony closed at 8:19pm.

**Commissioners:** The HPC continued the application because it does not comply with the zoning requirements. The HPC suggested that the applicant work with staff on the feedback provided. Ms. Purple Cherry waived the applicant's right to a 45-day ruling.

The following Commissioners made a site visit on this application.

Name
Leahy, Collins, Scott

**Chair** Leahy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
C.1	HPC Public Hearing Application for Certificate Approval dated 12/23/20 with attachments
C.2	HPC Certificate of Approval Revision Submittal Form #1 dated 01/22/21 with attachments
C.3	HPC Certificate of Approval Revision Submittal Form #2 dated 01/27/21
C.4	HPC Certificate of Approval Revision Submittal Form #3 dated 01/29/21
C.5	Staff Report and Recommendation dated 02/02/21
C.6	Photograph dated 01/21/21

- 3. 9 Shipwright Street** – Jay Schwarz/Alt Breeding Schwarz Architects – Demolition of the existing residence and construction of a new residence within the same footprint and raised to meet FEMA requirements. (HPC2020-251)

Mr. Williams recused himself from participating in this application.

Mr. Jay Schwarz explained that the zoning has been approved on this application. There have been a number of pre applications and there have been some details as well as clarifications made since the pre application. There is no current landscaping on the property so a landscaping plan will be provided. There is a civil survey and additional information is requested so this is in process. **Chair** Leahy noted that is part of the building permit process. Mr. Schwarz noted that there is nothing in the list that the applicant does not agree with. **Chair** Leahy noted that the landscape plan will also be required for a complete application and that the fence application also needs to be provided. Ms. Laynor explained that the fence application is a separate application. **Chair** Leahy noted that there needs to be a demolition application. Mr. Schwartz noted he does not believe a demolition is required as a separate application because it was included as part of the application documents but he is happy to provide a separate application.

**Staff:** Ms. Laynor went over her recommendations specifically that the applicant should make adjustments to reduce height and mass of building. Mr. Tower added that the house is 15-feet forward of its next nearest neighbor so mass will have a strong effect on the streetscape making it a significant feature. Ms. Laynor addressed the mechanical equipment location and needs more details on the roof.

**Public:** There was no one from the public that submitted comments in favor or opposition so **Chair** Leahy declared the public testimony closed at 8:37pm.

**Commissioners:** **Chair** Leahy noted that this is an incomplete application because additional information needs to be provided along with the landscaping plan so continued this application to an upcoming meeting. Mr. Schwarz waived the applicant's right to the 45-day ruling.

The following Commissioners made a site visit on this application.

Name
Leahy, Collins, Finch

**Chair** Leahy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
<b>C.1</b>	HPC Public Hearing Application for Certificate Approval dated 12/23/20 with attachments
<b>C.2</b>	Additional Information from Alt Breeding Schwarz dated 10/13/20
<b>C.3</b>	HPC Certificate of Approval Revision Submittal Form #1 dated 01/22/21 with attachments
<b>C.4</b>	Staff Report and Recommendation dated 02/02/21
<b>C.5</b>	Photograph dated 01/21/21

## **H. OTHER BUSINESS**

### **1. Discussion on of Resilience and Sustainability Goals – Jacqueline Guild**

Ms. Guild discussed what resilient cities are specifically that these cities promote sustainable development and absorb, recover and prepare for future shocks. She briefly discussed the functions of her position and the Departments that she mainly works with in the City specifically Planning and Zoning, Department of Public Works, Office of Emergency Management, Department of Transportation and Recreation and Parks. She went over the impacts of climate change on history and culture mentioning that the number one threat is flooding. She discussed other threats such as loss of archaeological evidence, damage to buildings, damage to organic buildings, street and vegetable damage from storms and flooding, social impacts such as loss of cultural heritage. She discussed the actions to “align land use, economic development and environmental policy to protect the City’s historical character and other resources while increasing resilience to natural and manmade stressors.” She discussed accounting for climate change when protecting history and the hard and soft solutions. She briefly discussed the Community Rating System where the City had a community assistance visit from FEMA in 2019 so are in the process of finishing up the application to receive a rating. Once a rating is received there will be flooding discounts. She went over the resilience projects to include Hillman Garage, City Dock and Main Street. She briefly discussed other considerations such as Electric Vehicle (EV) charging, green infrastructure and tree planting, solar, green corridors, litter and cigarette butt reduction education outreach, shoreline resilience and land conservation.

## **I. ADMINISTRATIVE BUSINESS**

### **1. Election of Officers**

**Vice Chair** Collins nominated **Chair** Leahy to continue to serve as **Chair** of the Historic Preservation Commission. Mr. Williams seconded the motion. The motion passed unanimously in a vote of 5-0.

Dr. Scott nominated **Vice Chair** Collins to continue to serve as **Vice Chair** of the Historic Preservation Commission. Mr. Williams seconded the motion. The motion passed unanimously in a vote of 5-0.

## **J. ADJOURNMENT**

With there being no further business, Dr. Scott moved to adjourn the meeting at 9:26pm.  
**Vice Chair** Collins seconded the motion. The motion passed unanimously in a vote of 5-0.

**The next meeting is February 25, 2021 as a virtual meeting.**

Tami Hook, Recorder